Computers, Privacy & the Constitution

Professor Eben Moglen

Columbia Law School, Fall 2002

Mail the Class

Mail Eben

Review the Mail

My office hours are Tuesday and Thursday 2:45 to 3:45 and Wednesday 3-4, in room 642 and by appointment at other times.

On November 14, we discuss <u>electronic democracy and privacy</u>.

On the Radar

Charles Mann, Homeland Insecurity, Atlantic Monthly, September 2002

I. The Technology and the Infrastructure

Encryption in Public Law

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Jeri Clausing, Congress Faces List of Internet Issues, New York Times, January 28, 1998.

Jeri Clausing, New Encryption Legislation Billed as a Compromise, New York Times, May 13, 1998.

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Carl S. Kaplan, Is Software Like a Can Opener or a Recipe?, New York Times, July 17, 1998

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Jeri Clausing, White House Eases Export Controls on Encryption, New York Times, September 17, 1999

But We're All Still Listening...

Jeri Clausing, New Fight Over Encryption Rules, September 21, 1999

<u>Cyberspace Electronic Security Act of 1999</u>, White House Proposal, September 16, 1999 (published by the Center for Democracy and Technology)

Bruno Giussani, <u>Dutch Law Goes Beyond Enabling Wiretapping To Make It a Requirement</u>, New York Times, April 14, 1998. Please look at the English text of the new Dutch Telecommunications Act linked to the article.

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Niall Mckay, European Parliament Debates Wiretap Proposal, New York Times, May 7, 1999

John Markoff, U.S. Drafting Plan for Computer Monitoring System, New York Times, July 28, 1999

Tim Weiner, <u>Author of Computer Surveillance Plan Tries to Ease Fears</u>, New York Times, August 16, 1999

Declan McCullogh, Cell Phone Crypto Penetrated, Wired News, December 6, 1999

Junger v. Daley, No. 98-4045 (CA6 2000), December 17, 1999

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Matt Richtel, AOL Records Sought on Virus, New York Times, April 2, 1999

Evelyn Nieves, <u>Privacy Issues Raised in Syphilis Cases Linked to San Francisco Chat Room</u>, New York Times, August 25, 1999

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II. Government & Commercial Data Mining--Big Brother is Just a Sibling

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Kurt Thearling, An Introduction to Data Mining, 2002

Kurt Thearling, Data Mining and Privacy: A conflict in the making?, DS*, March 1998

Dan Verton, <u>Congressman Says Data Mining Could Have Prevented 9-11</u>, Computerworld, August 26, 2002

III. Direct Surveillance and the Net--Pavement Artists in Cyberspace

Markle Foundation, Protecting America's Freedom in the Information Age, October 2002.

IV. Taboo Enforcement--Terrorism as the New Pornography

Reuters, ZDNet |UK| - News - Story - 'Terror' Web site owner to stand trial, July 9, 2002

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Lucas Mearin, Wall Street aims to thwart criminals with database, Computerworld, June 10, 2002

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Computer Secrecy Proposals Debated, New York Times, July 24, 2002

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V. State Filtering and Hacktivism--Fighting to Save Unfreedom Everywhere?

Anick Jesdanun, Meeting Warns of Political Robbery, Associated Press, June 21, 2002

Jeroen de Kloet, <u>Digitisation and Its Asian Discontents</u>: <u>The Internet, Politics and Hacking in China and Indonesia</u>, First Monday, September, 2002.

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John Ruwitch, China Unblocks Foreign Media Web Site, Washington Post, May 16, 2002

The Hacktivist

Dorothy Denning, <u>Activism, Hacktivism, and Cyberterrorism: The Internet as a Tool for Influencing Foreign Policy</u>, Terrorism Research Center, 1999.

VI. Electronic Democracy & the Privacy System

Thomas L. Friedman, Low-Tech Democracy, New York Times, May 1, 2001

Rebecca Fairley Raney, White House Announces Online Initiatives, New York Times, December 17, 1999

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VII. New World Information Order? (dbl) VIII. Privacy & Culture

Conclusion -- Putting it all Apart